

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RASHEED SIMPSON,
Petitioner

v.

JOHN E. WETZEL, *et al.*,
Respondents

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CIVIL ACTION

No. 15-4510

ORDER

AND NOW, this 8th day of September, 2020, upon careful consideration of Rasheed Simpson's petition for writ of habeas corpus, and the supporting documents (Doc. Nos. 4, 11), Respondents' response (Doc. No. 36), Mr. Simpson's reply (Doc. No. 39), the parties' supplemental briefs (Doc. Nos. 42, 43), the state court record, and the Court having conducted oral argument on June 21, 2019, it is hereby **ORDERED** that the petition for writ of habeas corpus is **CONDITIONALLY GRANTED**, in part, as to Mr. Simpson's claim regarding the federal due process issue involving his trial jury instructions, as set forth in the accompanying Memorandum. Execution of the writ is **STAYED** for one-hundred and eighty (180) days from the date of this Order to permit the Commonwealth to commence a new trial on the first-degree murder charge. If Mr. Simpson's new trial does not commence within the time specified, the writ shall issue, and the Commonwealth shall vacate Mr. Simpson's conviction on the first-degree murder charge.

BY THE COURT:



GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE